

REMARKS

The last Office Action has been carefully considered.

It is noted that claims 16-17, 19-25 and 27 are rejected under 35 U.S.C. 102 as being anticipated by the patent to Radley.

Claims 16-20 are rejected under 35 U.S.C. 102(e) over the patent to Wolf.

Claims 19 and 26 are rejected under 35 U.S.C. 103(a) over the patent to Radley in view of the patent to Wolf.

At the same time, the claims are objected to and rejected under 35 U.S.C. 112 for formal reasons.

In connection with the Examiner's formal objections and rejections, applicants have amended the claims in compliance with the Examiner's requirements. Claims 29 and 30 have been canceled and replaced with new claim 31 and 32, as required.

After carefully considering the Examiner's grounds for the rejection of the claims over the art, claim 16, the broadest claim on file,

has been amended to more clearly define the present invention and to distinguish it from the prior art.

Claim 16 is amended to specifically define that the grip part is firmly connected through the elastic element with the mounting part and is firmly held on it by the elastic element.

The patent to Radle discloses a power tool with a vibration isolated handle. In this reference the spring 96 and the elastomeric stop member 98 can be interpreted as an elastic, vibration-damping elements. These elements however do not hold the grip part on a part which can be interpreted as a mounting part, as defined in claim 16. Both the spring 96 and the elastomeric stop member 98 only press away from one another and do not hold two parts together, as required by claim 16.

The bellow 100 in the patent to Radle serves for protection from dirt and can not be interpreted as a vibration-damping element. Even if it is interpreted as a vibration-damping element, the elements between which it is arranged are not held together as defined in claim 16. The bellow 100 is arranged between the element 62 (support) and 18 (housing). These elements are assembled by screws 104. These elements however are not assembled by the bellows, since the screws hold both elements together so tightly that the bellow remains loose and

can not be compressed. Therefore the bellow can not be considered as the vibration-damping element as defined in claim 16.

Moreover, with an interpretation of the bellow as the vibration-damping element, the screws serve as retaining elements. The screws however are not retaining elements, but they are elements which are required for the operation of the machine, and do not serve for retaining, and do not provide the additional securing in addition to the holding by the vibration-damping element.

It is believed that the patent to Radle does not teach the new features of the present invention as defined in the amended claim 16.

As for the patent to Wolf applied by the Examiner, it has been determined and confirmed in a telephonic conference with the Examiner that this reference can not be considered as a valid reference, and it was required to submit a certified translation of the corresponding German priority application. This translation is submitted herewith.

Therefore it is believed that the rejection over the patent to Wolf should be considered as not tenable and should be withdrawn.

As for the rejection of the claims over the combination of the patents to Radle and Wolf, based on obviousness, it is believed that since the patent to Wolf can not be considered as a valid reference, the patent to Radle alone does not disclose the features sufficient for rejection of the claims.

In view of the above presented remarks and amendments, it is respectfully submitted that claim 16 should be considered as patentably distinguishing over the art and should be allowed.

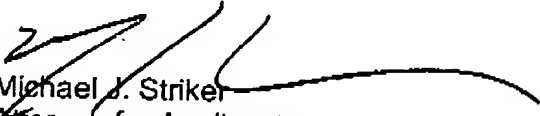
As for the dependent claims, they depend on claim 16, they share its presumably allowable features, and they should be allowed as well.

Claim 31, the broadest method claim, substantially corresponds to claim 16, but defines a method of production with the corresponding features. It is therefore believed that claim 31, together with claim 32, which depends on it, should also be considered as patentably distinguishing over the art and should also be allowed.

Reconsideration and allowance of the present application is most respectfully requested.

Should the Examiner require or consider it advisable that the specification, claims and/or drawings be further amended or corrected in formal respects in order to place this case in condition for final allowance, then it is respectfully requested that such amendments or corrections be carried out by Examiner's Amendment, and the case be passed to issue. Alternatively, should the Examiner feel that a personal discussion might be helpful in advancing this case to allowance, he is invited to telephone the undersigned (at 631-549-4700).

Respectfully submitted,


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